

### **REMARKS/ARGUMENTS**

This paper is submitted in response to the non-final Office Action dated August 21, 2007. At that time, claims 1-10 and 12-30 were pending. Claims 31-34 had been withdrawn pursuant to a previous restriction requirement. In the Office Action, the Examiner rejected claims 1, 4, 6-10, 12-17, and 27-29 under 35 U.S.C. § 103(a) as being unpatentable over XP 007121366 (hereinafter the "'366 document") in view of U.S. Patent No. 5,611,563 to Olson *et al.* (hereinafter "Olson"). Claim 30 was rejected under § 103(a) as being unpatentable over JP2000211465 to Yu *et al.* (hereinafter "Yu") in view of Olson. Claims 2-3, 5, and 18-26 were rejected under § 103(a) as being unpatentable over the '366 document in view of Yu and in further view of Olson.

By this paper, Applicants respectfully respond to the issues raised in the Office Action. Favorable consideration is respectfully requested.

#### **I. Rejection of Claims 1, 4, 6-10, 12-17, and 27-29 Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 1, 4, 6-10, 12-17, and 27-29 under 35 U.S.C. § 103(a) based on the '366 document in view of Wallner. This rejection is respectfully traversed.

The M.P.E.P. states that there can be no finding of obviousness unless the prior art reference (or references when combined) teach or suggest all the claim elements. *See e.g.*, M.P.E.P. § 2143. Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the elements in these claims. Specifically, independent claims 1 and 16 have been amended to recite that "when the crimped tabs are folded inwards, the tabs are substantially perpendicular to the longitudinal axis of the sleeve." Support for this claim element is found in Applicants' specification, for example, in Figure 2B. This claim element is not taught or suggested by the cited references. Specifically, as acknowledged by the Examiner, the '366 document does not teach or suggest crimped tabs, let alone the crimped tabs as recited in the claims. To the extent that Olson's feature 22 constitutes the claimed "crimped tabs," this reference does not teach "crimped tabs" that are substantially *perpendicular* to the longitudinal axis of the sleeve. On the contrary, Olson's features 22 are clearly not "perpendicular."

Further, independent claims 1 and 16 have also been amended to recite that "when the sleeve expands radially under the force of the impinging gas, the crimped tabs move radially outwardly

away from each other." This claim element is shown in Figure 4C and described throughout the specification. Again, to the extent that Olson teaches crimped tabs, there is no express teaching in Olson that such crimped tabs will move radially (outwardly) away from each other during deployment.

Accordingly, as this combination of references fails to teach or suggest all of the claimed elements regarding the "crimped tabs," the rejection under § 103(a) is improper. Withdrawal of this rejection is respectfully requested.

Claims 4, 6-10, and 12-15 depend either directly or indirectly from claim 1. Claims 17, and 27-29 depend either directly or indirectly from claim 16. Accordingly, Applicants respectfully request that the rejection of claims 4, 6-10, 12-15, 17, and 27-29 be withdrawn for at least the same reasons as those presented above in connection with independent claims 1 and 16.

## **II. Rejection of Claim 30 Under 35 U.S.C. § 103(a)**

The Examiner rejected claim 30 under 35 U.S.C. § 103(a) based on Yu in view of Olson. This rejection is respectfully traversed.

Again, Applicants submit that claim 30 is patentable over the cited references because all of the claimed elements are not taught or suggested by the prior art references. Claim 30 requires that when the crimped tabs are folded inwards, the tabs are substantially perpendicular to the longitudinal axis of the sleeve. Claim 30 also requires that the "sleeve expands radially under the force of the impinging gas, the crimped tabs move radially outwardly away from each other." As acknowledged by the Examiner, Yu does not teach these elements regarding the "crimped tabs." Further, as described above, Olson fails to teach or suggest the specific recitations regarding the "crimped tabs" found in claim 30. Therefore because all of the elements of claim 30 are not taught or suggested by the cited references, the rejection under § 103(a) cannot be maintained. Favorable consideration and withdrawal of this rejection is respectfully requested.

### III. Rejection of Claims 2-3, 5, and 18-26 Under 35 U.S.C. § 103(a)

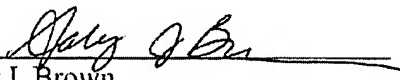
The Examiner rejected claims 2-3, 5, and 18-26 under 35 U.S.C. § 103(a) based on the '366 document in view of Yu and in further view of Olson. This rejection is respectfully traversed.

As noted above, a claim can be rejected under § 103(a) only if all of the claim elements are taught or suggested by the prior art references. In the present case, claims 2, 3, and 5 depend from independent claim 1. Claims 18-26 depend from independent claim 16. All of these dependent claims require that "when the crimped tabs are folded inwards, the tabs are substantially perpendicular to the longitudinal axis of the sleeve and wherein when the sleeve expands radially under the force of the impinging gas, the crimped tabs move radially outwardly away from each other." As noted above, the Examiner acknowledges that such claim elements regarding the crimped tabs are not taught by Yu or the '366 document. Similarly, as explained above, Olson fails to teach or suggest these claim elements. Accordingly, as all of the claim elements are not taught or suggested by the cited references, the rejection under § 103(a) cannot be maintained. Favorable consideration and withdrawal of the rejections of claims 2-3, 5, and 18-26 is respectfully requested.

### IV. Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

  
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